

AN ORDINANCE

04-0-1318

BY TRANSPORTATION COMMITTEE

AN ORDINANCE AUTHORIZING AN AMENDMENT TO THE MARCH 16, 2000 INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF COLLEGE PARK, GEORGIA AND THE CITY OF ATLANTA; AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta (herein after "City") owns and operates Hartsfield-Jackson Atlanta International Airport (hereinafter "the Airport"); and

WHEREAS, the Airport is undergoing a major expansion, including the construction of a new Consolidate Rental Car Facility including access roadways, Automated People Mover System, and other facilities and improvements; and

WHEREAS, to accomplish said expansion, the City needed and continues to need to acquire properties lying within the corporate limits of College Park including but not limited to private property, public property, public streets, public rights of way, and certain easements held by College Park; and

WHEREAS, the City and College Park entered into an Intergovernmental Agreement with each other dated March 16, 2000 (hereinafter "the Agreement"), in which the City and College Park set forth their mutually satisfactory agreement regarding issues pertaining to the Airport expansion, including but not limited to the City's ability to condemn property located within the corporate limits of College Park, said properties being set forth specifically on Exhibits "A" and "B" of the Agreement; and

WHEREAS, the City needs to acquire properties that are located within the corporate limits of College Park, but are not set forth on Exhibits "A" and "B" of the Agreement, to accommodate the Airport expansion; and

WHEREAS, O.C.G.A. § 6-3-22 requires that the City obtain the consent of College Park's local governing body, (the City Council for the City of College Park) in order to acquire private property by condemnation in the corporate limits of College Park; and

WHEREAS, pursuant to O.C.G.A. § 6-3-22, College Park is prepared to grant its consent to the City's condemnation of property located in College Park but not set forth on Exhibits "A" and "B" of the Agreement, to accommodate the Airport expansion, the exact location of said property being set forth in Exhibit "A" and as more fully described on Exhibit "B" to this Amendment; and

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, that the Mayor or her designee be and is hereby authorized to enter into an Amendment To Intergovernmental Agreement with College Park in accordance with the objectives stated above.

BE IT FURTHER RESOLVED, that the City Attorney be and is hereby directed to prepare the contractual Amendment for execution by the Mayor.

BE IT FURTHER RESOLVED, that this Amendment shall not become binding on the City and the City shall incur no liability upon same until such Amendment has been executed by the Mayor and delivered to the contracting party.

EXHIBIT B

Amendment to Intergovernmental Agreement

[illegible]